

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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DATE FILED: 10/30/2018

TALLY DISPLAY CORP.,

Plaintiff,

-v-

SAMSUNG SDS AMERICA, INC., STARLITE MEDIA  
LLC, and JOHN DOE,

Defendants.

18 Civ. 7445 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On October 29, 2018, defendants filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Dkt. 15. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by **November 19, 2018**. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by **December 10, 2018**, defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss.<sup>1</sup>

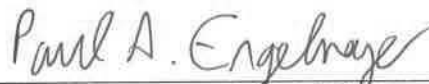
It is further ORDERED that if no amended complaint is filed, plaintiff shall file any opposition to the motion to dismiss by **November 19, 2018**. Defendants' reply, if any, shall be filed by **November 26, 2018**. At the time any reply is filed, the moving party shall supply the

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<sup>1</sup> If defendants file a new motion to dismiss or rely on their previous motion, plaintiff's opposition will be due 14 days thereafter, and defendants' reply, if any, will be due seven days after that.

Court with two courtesy copies of all motion papers by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York 10007.

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer".

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PAUL A. ENGELMAYER  
United States District Judge

Dated: October 30, 2018  
New York, New York